

Judicial Branch

Analyst: Burns

Historical Summary

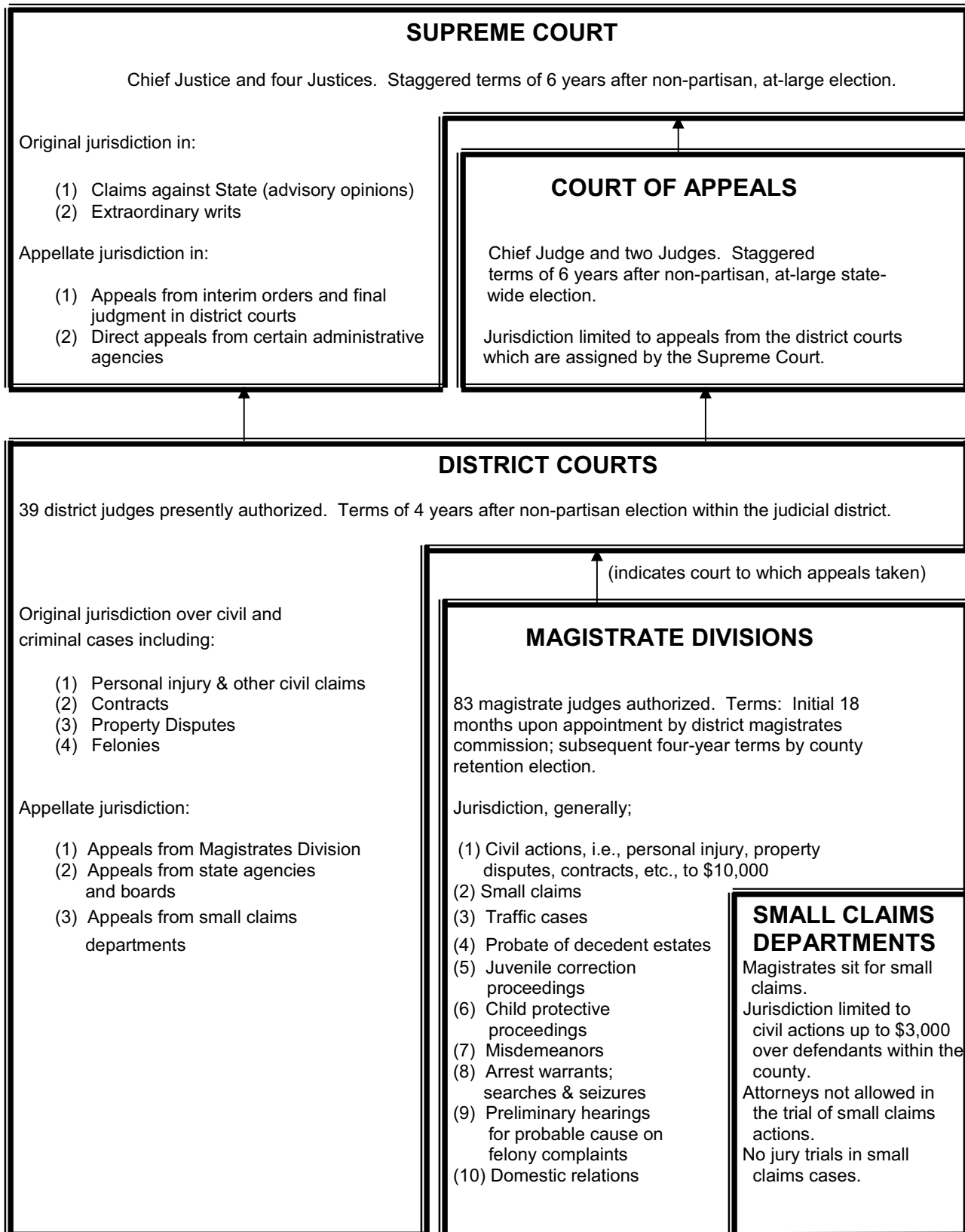
OPERATING BUDGET	FY 2005 Total App	FY 2005 Actual	FY 2006 Approp	FY 2007 Request	FY 2007 Gov Rec
BY PROGRAM					
Supreme Court	5,842,800	5,138,200	5,866,900	5,795,800	5,737,600
Law Library	499,300	487,200	501,200	520,300	521,300
District Courts	10,885,300	10,945,200	13,879,200	14,744,900	14,407,000
Magistrates Division	10,916,400	10,991,300	11,196,900	12,473,400	12,336,300
Judicial Council	111,300	103,300	111,300	113,400	113,400
Court of Appeals	1,156,800	1,152,800	1,164,100	1,200,200	1,171,700
Guardian Ad Litem Account	447,500	447,500	430,900	439,100	439,100
Snake River Basin Adjudication	832,100	803,300	835,800	852,000	853,400
Total:	30,691,500	30,068,800	33,986,300	36,139,100	35,579,800
BY FUND CATEGORY					
General	25,246,700	25,237,900	25,535,400	27,810,100	27,079,600
Dedicated	3,943,400	3,342,600	6,949,100	6,797,500	6,968,900
Federal	1,501,400	1,488,300	1,501,800	1,531,500	1,531,300
Total:	30,691,500	30,068,800	33,986,300	36,139,100	35,579,800
Percent Change:		(2.0%)	13.0%	6.3%	4.7%
BY OBJECT OF EXPENDITURE					
Personnel Costs	65,200	22,969,000	0	0	0
Operating Expenditures	0	6,172,700	0	0	0
Capital Outlay	0	326,800	0	0	0
Trustee/Benefit	0	600,300	0	0	0
Lump Sum	30,626,300	0	33,986,300	36,139,100	35,579,800
Total:	30,691,500	30,068,800	33,986,300	36,139,100	35,579,800
Full-Time Positions (FTP)	247.00	247.00	247.00	255.00	255.00

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and the federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000, felony preliminary hearings, criminal misdemeanors, and infractions.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

IDAHO'S INTEGRATED COURT STRUCTURE



Judicial Branch

Agency Profile

Analyst: Burns

Sources of Funds

	<u>Percent of Total</u>	<u>FY 2005 Actual</u>	<u>FY 2006 Estimate</u>	<u>FY 2007 Request</u>
1. General Fund (0001-00)	84%	25,237,900	25,733,000	27,810,100
The General Fund consists of, "moneys received into the treasury and not specially appropriated to any other fund." The fund sources are individual income tax, corporate income tax, sales tax, cigarette tax, beer tax, wine tax, liquor revenue, kilowatt hour tax, mine license tax, Treasurer's interest on investments of certain idle state funds, court fees and fines, insurance premium tax, sale of alcoholic beverage licenses, unclaimed property, articles of incorporation and uniform commercial code filing fees, estate and transfer tax, and other miscellaneous sources.				
2. Guardian Ad Litem (0239-00)	0%	16,600	0	0
This fund consists of moneys transferred from the state General Fund, contributions, and interest earnings. All moneys are distributed to guardian ad litem programs within the judicial districts in the state and to pay the administrative expenses of a grant administrator selected by the Supreme Court. A guardian ad litem program is designed to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.				
3. ISTARS Technology (0314-00)	5%	1,584,500	3,312,000	3,365,800
Funding comes from a five dollar fee on all criminal and infraction offenses, and five dollars of the filing fee and appearance fee in civil cases. Subject to appropriation, these moneys in this fund are used to support and maintain the Trial Court Automated Records System (ISTARS) technology program. ISTARS is the statewide automation of court records, information, and operations to manage judicial caseloads and timely transmission of court information to law enforcement, transportation and fish and game.				
4. Drug/MH/Family Court Services (0340-00)	5%	1,408,000	2,980,100	3,036,800
Funded from a 2% surcharge from the sale of liquor. These funds are subject to appropriation and are used by the Supreme Court for the operation of drug courts and to assist children and families in the courts.				
5. Guardianship Pilot Project (0341-00)	0%	0	75,000	76,400
Pilot project established to help design and improve the reporting and monitoring system for guardianships and conservator ships with funding coming from additional filing and reporting fees.				
6. Millennium Income (0499-00)	1%	270,000	270,000	0
Consists of distributions from the Idaho Millennium Fund to support youth courts and status offender services.				
7. Miscellaneous Revenue (0349-00)	0%	63,500	312,500	318,500
Receipts from sales of publications and computer aided legal research.				
8. Federal Grants (0348-00)	5%	1,488,300	1,502,100	1,531,500
Funding from federal agencies to support drug courts, drug court evaluations, among other things.				
Total	100%	30,068,800	34,184,700	36,139,100

Judicial Branch

Agency Profile

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Selected Measures

	<u>CY 2001</u>	<u>CY 2002</u>	<u>CY 2003</u>	<u>CY 2004</u>
1. Supreme Court				
Average no. of days to decide civil appeals.	646	702	610	545
Ave. no. of days to decide criminal appeals.	622	533	423	654
Average no. of days to decide agency appeals.	587	561	506	553
Average number of days for all appeals.	632	669	581	569
Appeals added/transferred.	397	401	426	427
Appeals disposed of.	360	450	422	395
Appeals pending at year-end in Supreme Court.	162	112	112	138
Appeals pending at year-end in Court of Appeals.	200	185	176	171
Appeals pending at year-end in unassigned appeals.	663	735	669	692
Total appeals pending at year-end.	1,025	1,032	957	1,001
2. District Courts				
Number of cases filed in District 1.	2,531	3,066	3,505	3,767
Number of cases filed in District 2.	1,213	1,048	1,094	1,196
Number of cases filed in District 3.	3,024	3,231	3,397	3,346
Number of cases filed in District 4.	5,082	5,267	5,230	5,238
Number of cases filed in District 5.	2,733	2,572	2,580	2,554
Number of cases filed in District 6.	1,794	1,542	1,863	1,782
Number of cases filed in District 7.	2,156	2,383	2,342	2,475
Total cases filed.	18,533	19,109	20,019	20,358
Number of cases disposed.	17,694	20,258	22,718	22,131
3. Magistrates Division				
Number of cases filed in District 1.	57,375	61,614	62,752	64,227
Number of cases filed in District 2.	34,882	30,541	30,049	29,805
Number of cases filed in District 3.	62,003	63,727	63,266	61,550
Number of cases filed in District 4.	139,879	135,013	139,355	144,671
Number of cases filed in District 5.	65,214	62,285	54,919	50,961
Number of cases filed in District 6.	51,835	43,965	42,298	38,013
Number of cases filed in District 7.	71,560	71,081	66,858	69,886
Total cases filed.	482,748	468,226	459,497	458,843
Number of cases disposed.	502,067	498,152	512,954	508,910
4. Court of Appeals				
Civil appeals filed.	43	44	41	34
Criminal appeals filed.	518	447	561	517
Total Number of Appeals.	561	491	602	551
Cases disposed.	588	507	609	552
Total cases pending at year-end.	200	185	176	171

Judicial Branch

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Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
FY 2006 Original Appropriation	247.00	25,535,400	33,986,300	247.00	25,535,400	33,986,300
HB 395 One-time 1% Salary Increase	0.00	197,600	198,400	0.00	197,600	198,400
Omnibus CEC Supplemental	0.00	0	0	0.00	76,300	78,300
FY 2006 Total Appropriation	247.00	25,733,000	34,184,700	247.00	25,809,300	34,263,000
Non-Cognizable Funds and Transfers	0.00	0	0	0.00	0	0
FY 2006 Estimated Expenditures	247.00	25,733,000	34,184,700	247.00	25,809,300	34,263,000
Removal of One-Time Expenditures	0.00	(197,600)	(468,400)	0.00	(197,600)	(468,400)
Base Adjustments	0.00	0	0	0.00	0	0
FY 2007 Base	247.00	25,535,400	33,716,300	247.00	25,611,700	33,794,600
Benefit Costs	0.00	414,500	416,200	0.00	(278,200)	(278,700)
Inflationary Adjustments	0.00	37,400	182,100	0.00	37,400	182,100
Replacement Items	0.00	170,000	170,000	0.00	0	170,000
Statewide Cost Allocation	0.00	22,200	22,200	0.00	22,200	22,200
Change in Employee Compensation	0.00	209,200	210,900	0.00	265,100	268,200
FY 2007 Program Maintenance	247.00	26,388,700	34,717,700	247.00	25,658,200	34,158,400
1. District Judges & Court Reporters	4.00	380,600	380,600	4.00	380,600	380,600
2. Senior Judges	0.00	290,000	290,000	0.00	290,000	290,000
3. Magistrate Judges	4.00	513,000	513,000	4.00	513,000	513,000
4. Regional Court Interpreters	0.00	150,000	150,000	0.00	150,000	150,000
5. Mileage Rate Increase	0.00	87,800	87,800	0.00	87,800	87,800
Lump Sum or Other Adjustments	0.00	0	0	0.00	0	0
FY 2007 Total	255.00	27,810,100	36,139,100	255.00	27,079,600	35,579,800
Change from Original Appropriation	8.00	2,274,700	2,152,800	8.00	1,544,200	1,593,500
% Change from Original Appropriation		8.9%	6.3%		6.0%	4.7%

Judicial Branch

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2006 Original Appropriation	247.00	25,535,400	6,949,100	1,501,800	33,986,300
HB 395 One-time 1% Salary Increase					
Reflects a one-time 1% Change in Employee Compensation (CEC) increase.					
Agency Request	0.00	197,600	500	300	198,400
Governor's Recommendation	0.00	197,600	500	300	198,400
Omnibus CEC Supplemental					
Agency Request	0.00	0	0	0	0
The Governor's FY 2007 recommendation is a 3% ongoing increase in employee compensation (CEC), based on merit, to commence in FY 2006 with the January 29 pay period. This will allow agencies to fund employee compensation increases for ten pay periods prior to the end of the current fiscal year. Funding for the remaining 16 pay periods is provided in the FY 2007 CEC.					
Governor's Recommendation	0.00	76,300	1,400	600	78,300
FY 2006 Total Appropriation					
Agency Request	247.00	25,733,000	6,949,600	1,502,100	34,184,700
Governor's Recommendation	247.00	25,809,300	6,951,000	1,502,700	34,263,000
Non-Cognizable Funds and Transfers					
Reflects lump sum allocation.					
Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0
FY 2006 Estimated Expenditures					
Agency Request	247.00	25,733,000	6,949,600	1,502,100	34,184,700
Governor's Recommendation	247.00	25,809,300	6,951,000	1,502,700	34,263,000
Removal of One-Time Expenditures					
Removes one-time 1% Change in Employee Compensation (CEC) and other one-time items.					
Agency Request	0.00	(197,600)	(270,500)	(300)	(468,400)
Governor's Recommendation	0.00	(197,600)	(270,500)	(300)	(468,400)
Base Adjustments					
Reflects differences between legislative appropriations and court allocation.					
Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0
FY 2007 Base					
Agency Request	247.00	25,535,400	6,679,100	1,501,800	33,716,300
Governor's Recommendation	247.00	25,611,700	6,680,500	1,502,400	33,794,600

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Budget by Decision Unit

	FTP	General	Dedicated	Federal	Total
Benefit Costs					
Includes the employer-paid portion of estimated changes in employee benefit costs. The two biggest factors are health insurance rates and retirement rates. Health insurance is projected to increase by 6.1% or \$436 per position. Retirement rates are scheduled to increase from 10.39% to 11% of salary for regular non-judicial employees and from 7% to 11.34% of salary for judicial retirement contributions (Idaho Code, §1-2004). Other benefit changes include minor adjustments in unemployment insurance rates and workers compensation rates. Also factored in are increases in retired judges life and health insurance costs.					
Agency Request	0.00	414,500	1,000	700	416,200
<i>Removes the PERSI rate increase and changes benefit costs to reflect a 3.5% or \$250 per FTP increase in health insurance costs. However, the change in health insurance providers, from Blue Shield to Blue Cross, has created a one-time opportunity to use unexpended reserves from the previous contract. This decision unit provides for a health insurance premium reduction equal to two month's premiums for both the employer and employee. Finally, a life insurance holiday is included equal to seven month's premium for the employer's share only.</i>					
Governor's Recommendation	0.00	(278,200)	0	(500)	(278,700)
Inflationary Adjustments					
Includes a general inflationary increase of 1.9% in operating expenditures and trustee/benefit payments.					
Agency Request	0.00	37,400	116,200	28,500	182,100
Governor's Recommendation	0.00	37,400	116,200	28,500	182,100
Replacement Items					
Includes \$50,000 for Supreme Court Building wiring; \$61,000 for phone server equipment to the Supreme Court and the Court of Appeals; and \$59,000 for phone equipment, software, and warranty.					
Agency Request	0.00	170,000	0	0	170,000
<i>The Governor has recommended that the General Fund request for replacement items be financed from the Economic Recovery Reserve Fund.</i>					
Governor's Recommendation	0.00	0	170,000	0	170,000
Statewide Cost Allocation					
Includes adjustments in State Controller, State Treasurer, and risk management fees.					
Agency Request	0.00	22,200	0	0	22,200
Governor's Recommendation	0.00	22,200	0	0	22,200
Change in Employee Compensation					
Provides \$67,800 (\$66,100 General Fund) for a 1% salary increase for non-judicial employees and \$143,100 (General Fund) for a 1% judicial salary increase.					
Agency Request	0.00	209,200	1,200	500	210,900
<i>Provides funding for the remaining 16 pay periods to annualize the 3% ongoing change in employee compensation recommended in the omnibus CEC supplemental.</i>					
Governor's Recommendation	0.00	265,100	2,200	900	268,200
FY 2007 Program Maintenance					
Agency Request	247.00	26,388,700	6,797,500	1,531,500	34,717,700
Governor's Recommendation	247.00	25,658,200	6,968,900	1,531,300	34,158,400

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
1. District Judges & Court Reporters					
Because of the increased number and complexity of cases filed in Judicial Districts 1 and 2, funding to add two district judges (\$122,400) and two Court Reporters (\$118,800), along with \$17,000 for travel and education, is requested. Caseloads in these districts have increased by 24% and 34% respectively, since 2000, oftentimes delaying justice beyond the time standards set by the Supreme Court.					
Agency Request	4.00	380,600	0	0	380,600
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	4.00	380,600	0	0	380,600
2. Senior Judges					
Funding is requested for additional senior judge days to resolve disputes fairly and within the time standards adopted by the Supreme Court. A cadre of well-respected, experienced senior retired judges is available to be assigned to courts where the caseload needs are the greatest, or emergency circumstances exist. This level of funding will permit the Idaho courts to continue to resolve an increasing number of cases timely, and pursue further court innovations, without adding full-time judgeships. The additional judge days requested is the equivalent of 2.5 full-time positions. This level of funding provides \$125,000 for senior judges, \$90,000 for court reporter coverage, and \$75,000 for travel.					
Agency Request	0.00	290,000	0	0	290,000
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	290,000	0	0	290,000
3. Magistrate Judges					
Provides funding to hire four new Magistrate Judges, two in Ada County and two in Canyon County, to resolve juvenile corrections, child protection, civil, family law, criminal, probate, and infraction cases more timely and efficiently.					
Agency Request	4.00	513,000	0	0	513,000
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	4.00	513,000	0	0	513,000
4. Regional Court Interpreters					
The Court believes that a regional strategy to attract certified court interpreters will allow the just and speedy resolution of criminal court cases involving non-English speaking defendants. Funding is requested to distribute \$30,000 to five of seven Judicial Districts to contract for certified interpreters. This also would permit counties to cost share and contribute to the funding in order to ensure that certified and qualified court interpreters are available for all proceedings as required.					
Agency Request	0.00	150,000	0	0	150,000
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	150,000	0	0	150,000
5. Mileage Rate Increase					
Over the past three years the mileage reimbursement rate has increased from 34.5 cents per mile to 48.5 cents per mile. With the Judicial Branch driving between 700,000 and 1,000,000 miles per year, funding is requested to cover this added cost.					
Agency Request	0.00	87,800	0	0	87,800
<i>Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.</i>					
Governor's Recommendation	0.00	87,800	0	0	87,800

Judicial Branch

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
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Lump Sum or Other Adjustments

A lump sum appropriation removes all restrictions that limit the transfer of moneys among Personnel Costs, Operating Expenses, Capital Outlay and Trustee/Benefit Payments. As an exception to state budget laws, a lump sum appropriation requires specific legislative authorization and approval per Section 67-3508(1), Idaho Code.

Agency Request	0.00	0	0	0	0
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Section 67-3506, Idaho Code, states that the Governor shall transmit the budget requests of the legislative and judicial departments to the Legislature as they were submitted by the departments.

Governor's Recommendation	0.00	0	0	0	0
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FY 2007 Total					
Agency Request	255.00	27,810,100	6,797,500	1,531,500	36,139,100
Governor's Recommendation	255.00	27,079,600	6,968,900	1,531,300	35,579,800

Agency Request

Change from Original App	8.00	2,274,700	(151,600)	29,700	2,152,800
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% Change from Original App	3.2%	8.9%	(2.2%)	2.0%	6.3%
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Governor's Recommendation

Change from Original App	8.00	1,544,200	19,800	29,500	1,593,500
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% Change from Original App	3.2%	6.0%	0.3%	2.0%	4.7%
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